

IN THE UNITED STATES DISTRICT COURT FOR  
 THE EASTERN DISTRICT OF WISCONSIN  
 AT MILWAUKEE

DOES 1, 7, 8 and 9,	)	
Individually, DOES 2, 4, 5	)	
and 6, Individually, and as	)	
Taxpayers; DOES 3, a minor,	)	
By DOES 3's next best friend,	)	
DOE 2,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 09-C-0409
	)	May 29, 2009
ELMBROOK JOINT COMMON SCHOOL,	)	Excerpt of Proceedings
DISTRICT NO. 21,	)	
	)	
Defendant.	)	
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TRANSCRIPT OF PROCEEDINGS  
 BEFORE THE HONORABLE CHARLES N. CLEVERT, JR.  
 UNITED STATES DISTRICT JUDGE

SUSAN A. ZIELIE, RPR, FCRR  
 Official Court Reporter  
 HB 406  
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 New Orleans, Louisiana 70130  
 504.589.7741  
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Proceedings Recorded by Computer-aided Stenography.

1 APPEARANCES:

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3 For the Plaintiffs: ALEXANDER LUCHENISTER, ESQ.  
4 JAMES HALL, ESQ.  
5 THOMAS OLSON, ESQ.

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7 For the Defendant: LORI LUBINSKY, ESQ.  
8 SARA BEACHY, ESQ.

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1 MILWAUKEE, WISCONSIN; FRIDAY, MAY 29, 2009

2 1:35 PM

3 THE CLERK: Case No. 2009-C-0409, John Does  
4 1 through 9 vs. Elmbrook No. 21. This matter is before  
5 the Court on a hearing for plaintiff's motion on  
6 preliminary injunction. May we have the appearances,  
7 please.

8 MR. LUCHENISTER: Yes, Your Honor. Alex  
9 Luchenister, Americans United For Separation of Church  
10 and State for plaintiffs. And also for plaintiffs we  
11 have James Hall of Hall Legal and Tom Olson of Hall  
12 Legal, and we have Jeff Clauson of Americans United.

13 THE COURT: Good afternoon.

14 MS. LUBINSKY: Good afternoon, Your Honor.  
15 Lori Lubinsky. Along with me is co-counsel Sara Beachy.  
16 Also with us at counsel table is Mark Poshish. He is  
17 the human resource director and staff counsel for the  
18 school district.

19 THE COURT: Good afternoon to you as well.

20 This case is on for preliminary hearing.  
21 However, before we get into any particulars respecting  
22 the request of injunction, the Court has received  
23 several motions, one of which is a request that the  
24 plaintiffs be allowed to proceed using pseudonyms.

25 I've not received any objection to that

1 request and find no legal impediment to granting the  
2 plaintiff's request of that, to be allowed to proceed  
3 utilizing pseudonyms. Therefore, the motion is granted.

4 MR. LUCHENISTER: Thank you, Your Honor.

5 (Requested Excerpt of Proceedings  
6 Concluded.)

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9 CERTIFICATE

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12 I, Susan A. Zielie, Official Court Reporter, do  
13 hereby certify that the foregoing transcript is correct.

14  
15 /S/ SUSAN A. ZIELIE, RPR, FCRR

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